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Agenda item 102

INTERNATIONAL DRUG CONTROL

Algeria, Argentina, Austria, Bahamas, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Ghana, Greece, Honduras, Iceland, India, Ireland, Israel, Italy, Japan, Luxembourg, Marshall Islands, Mauritius, Mexico, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Portugal, Romania, South Africa, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela: draft resolution

International action to combat drug abuse and illicit production and trafficking

The General Assembly,

Recalling its resolutions 49/168 of 23 December 1994 and 50/148 of 21 December 1995,

Gravely concerned that, despite increased efforts by States and relevant international organizations, there is a global expansion of illicit demand for, production of, and trafficking in narcotic drugs and psychotropic substances, including synthetic and designer drugs, which threatens the health, safety and well-being of millions of persons, in particular young people, in all countries, as well as the political and socio-economic systems and the stability, national security and sovereignty of an increasing number of States,

Deeply alarmed by the growing violence and economic power of criminal organizations and terrorist groups engaged in drug trafficking activities and other criminal activities, such as money-laundering and illicit traffic of arms and precursors and essential chemicals, and by the increasing transnational links between them, and recognizing that enhanced international cooperation and effective strategies are required to achieve results against all forms of transnational criminal activities,

Convinced of the desirability of closer coordination and cooperation among States in combating drug-related crimes, such as terrorism, illicit arms trade and money-laundering, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Fully aware that States, the relevant organizations of the United Nations system and multilateral development banks need to accord a higher priority to dealing with this scourge, which undermines development, economic and political stability and democratic institutions, and the combat against which entails increasing economic costs for Governments and the irreparable loss of human lives,

Reaffirming and stressing the need for increased efforts to implement the comprehensive framework for international cooperation in drug control provided by the existing drug control conventions, the Declaration and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the Political Declaration and Global Programme of Action adopted by the General Assembly at its seventeenth special session devoted to the question of international cooperation against illicit production, supply, demand, trafficking and distribution of narcotic and psychotropic substances, the Declaration adopted by the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat, the United Nations System-wide Action Plan on Drug Abuse Control, the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and other relevant international standards,

Recognizing the efforts of countries which produce narcotic drugs for scientific, medicinal and therapeutic uses to prevent the diversion of such substances to illicit markets and to maintain production at a level consistent with licit demand in line with the Single Convention on Narcotic Drugs of 1961,

Convinced that civil society, including non-governmental organizations, can make an effective contribution to address the illicit drug problem,

Acknowledging that there are links, under certain circumstances, between poverty and the increase in the illicit production of and trafficking in narcotic drugs and psychotropic substances and that the promotion of the economic development of countries affected by the illicit drug trade requires appropriate measures, including strengthened international cooperation in support of alternative and sustainable development activities in the affected areas of those countries, which have as their objectives the reduction and elimination of illicit drug production,

Stressing that respect for human rights is and must be an essential component of measures taken to address the drug problem,

Emphasizing the need for an analysis of transit routes used by drug traffickers, which are constantly changing and expanding to include a growing number of countries and regions in all parts of the world,

Underlining the role of the Commission on Narcotic Drugs as the principal United Nations policy-making body on drug control issues, the leadership role

and commendable work of the United Nations International Drug Control Programme as the main focus for concerted international action, and the important role of the International Narcotics Control Board as an independent monitoring authority as set out in the international drug control treaties,

Recalling the important and central role of relevant United Nations bodies in evaluating the implementation by States parties of their obligations under the United Nations drug control treaties, as set out in those treaties,

Convinced that the holding of a special session of the General Assembly devoted to the strengthening of international cooperation against illicit production, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances and related activities could make a significant contribution to the effectiveness of the United Nations and its Member States in the fight against this global problem,

I

RESPECT FOR THE PRINCIPLES ENSHRINED IN THE CHARTER OF THE UNITED NATIONS AND INTERNATIONAL LAW IN THE FIGHT AGAINST DRUG ABUSE AND ILLICIT PRODUCTION AND TRAFFICKING

1. Reaffirms that the fight against drug abuse and illicit trafficking must be carried out in full conformity with the purposes and principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States and non-use of force or the threat of force in international relations;

2. Calls upon all States to intensify their actions to promote effective cooperation in the efforts to combat drug abuse and illicit trafficking, so as to contribute to a climate conducive to achieving this end, on the basis of the principles of equal rights and mutual respect;

II

INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT PRODUCTION AND TRAFFICKING

1. Renews its commitment to further strengthening international cooperation and substantially increasing efforts against the cultivation for illegal purposes, illicit production, sale, demand, traffic and distribution of narcotics and psychotropic substances, including synthetic drugs, and to control and prevent the diversion of precursors and essential chemicals used in the illicit manufacture of narcotic and psychotropic substances, in accordance with obligations of States under the United Nations drug control conventions, based on the principle of shared responsibility and taking into account experience gained;

2. Urges all States to ratify or accede to and implement all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United

Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

3. Calls upon all States to adopt adequate national laws and regulations, to strengthen national judicial systems and to carry out effective drug control activities in cooperation with other States in accordance with those international instruments;

4. Requests the United Nations International Drug Control Programme:

(a) To continue to support the focus on regional, subregional and national strategies for drug abuse control, particularly the master-plan approach, and to complement those strategies with effective interregional strategies;

(b) To seek to strengthen the dialogue and cooperation with multilateral development banks so that they might undertake lending and programming activities related to drug control in interested and affected countries, and to inform the Commission on Narcotic Drugs on further progress made in this area;

(c) To continue to provide legal assistance to Member States which request it in adjusting their national laws, policies and infrastructures to implement the international drug control conventions, as well as assistance in training personnel responsible for applying the new laws;

(d) To continue providing assistance to Member States requesting support in establishing or strengthening national drug detection laboratories;

(e) To continue to include in its report on illicit traffic in drugs an assessment of worldwide trends in illicit traffic and transit in narcotic drugs and psychotropic substances, including methods and routes used, and to recommend ways and means for improving the capacity of States along those routes to deal with all aspects of the drug problem;

5. Reaffirms the danger and threat posed to civil society by drug trafficking and its links to terrorism, transnational crime, money-laundering and the arms trade, and encourages Governments to deal with this threat and to cooperate to prevent the channelling of funds to and between those engaged in such activities;

6. Acknowledges that there are links between the illicit production of, demand for and traffic in narcotic drugs and psychotropic substances and the economic and social conditions in the affected countries and that there are differences and diversity in the problems of each country;

7. Calls upon the international community to provide increased economic and technical support to Governments which request it for programmes of alternative and sustainable development that have as their objectives the reduction and elimination of illicit drug production and that take fully into account the cultural traditions of peoples;

8. Recalls that the World Programme of Action for Youth to the year 2000 and Beyond, adopted by the General Assembly on 14 December 1995, stresses the

importance of participation of youth organizations and youth in decision-making processes, in particular in relation to demand reduction programmes for illicit drugs;

9. Stresses the need for effective government action to prevent the diversion to illicit markets of precursors and essential chemicals, materials and equipment used in the illicit manufacture of narcotic drugs and psychotropic substances;

10. Commends the International Narcotics Control Board for its valuable work in monitoring the production and distribution of narcotic drugs and psychotropic substances so as to limit their use to medical and scientific purposes, and urges increased efforts to implement its mandate under article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances concerning the monitoring of the movement of precursors and essential chemicals;

11. Notes that the International Narcotics Control Board needs sufficient resources to carry out its mandate, including under article 12, and therefore urges Member States to commit themselves in a common effort to assign adequate and sufficient budgetary resources to the International Narcotics Control Board, according to Economic and Social Council resolution 1996/20 of 23 July 1996;

12. Calls upon States to increase efforts, with international cooperation, to reduce and eliminate illegal crops from which narcotics are obtained, as well as to prevent and reduce the demand for and the consumption of illicit drugs, in accordance with their obligations under the Single Convention on Narcotic Drugs of 1961 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

13. Underlines the need for Governments, with international cooperation, to increase and implement alternative development programmes with the objective of reducing and eliminating the production of illicit drugs, taking into account the economic, social, cultural, political and environmental aspects of the area concerned;

14. Emphasizes the need to maintain the capacity of the International Narcotics Control Board, including through the provision of appropriate means, by the Secretary-General, within existing resources, and adequate technical support by the United Nations International Drug Control Programme;

15. Reaffirms the importance of achieving the objectives of the United Nations Decade against Drug Abuse 1991-2000, under the theme "A global response to a global challenge", by Member States, the United Nations International Drug Control Programme and the United Nations system;

16. Calls upon Member States to continue cooperating with the United Nations International Drug Control Programme by providing relevant information and their views on the "Draft declaration on the guiding principles of demand reduction" being developed by the Executive Director of the United Nations International Drug Control Programme in consultation with Member States, and with due regard to the linkages between demand and supply reduction activities,

and reaffirms the importance of Economic and Social Council resolutions 1996/18 of 23 July 1996 on the draft declaration on the guiding principles of demand reduction, and 1995/16 of 24 July 1995 on integration of demand reduction initiatives into a cohesive strategy to combat drug abuse;

17. Welcomes Economic and Social Council resolution 1996/29 of 24 July 1996 on action to strengthen international cooperation to control precursors and their substitutes used in the illicit manufacture of controlled substances, in particular amphetamine-type stimulants, and to prevent their diversion, and calls upon Member States to strengthen their efforts to control precursors and their substitutes in cooperation with the International Narcotic Control Board;

18. Welcomes with satisfaction resolution 5 (XXXVIII) of the Commission on Narcotic Drugs on strategies for illicit supply reduction, reaffirming the need to apply effective strategies for supply reduction, based on the implementation of plans and programmes for alternative development, which have as their objectives the reduction and elimination of illicit drug production;

19. Stresses the importance of the High-level Segment of the 1996 session of the Economic and Social Council, in which Member States reaffirmed their political will and commitment to adopt concrete actions for enhanced international cooperation at all levels;

III

GLOBAL PROGRAMME OF ACTION

1. Reaffirms the importance of the Global Programme of Action as a comprehensive framework for national, regional and international action to combat illicit production of, demand for and trafficking in narcotic drugs and psychotropic substances;

2. Calls upon States to implement the mandates and recommendations of the Global Programme of Action, with a view to translating it into practical action for drug abuse control at the national, regional and international levels;

3. Urges all Governments and competent regional organizations to develop a balanced approach within the framework of comprehensive demand reduction activities, giving adequate priority to prevention, treatment, research social reintegration and training in the context of national strategic plans to combat drug abuse;

4. Calls upon the relevant United Nations bodies, the specialized agencies, the international financial institutions and other concerned intergovernmental organizations and all actors of civil society, notably non-governmental organizations, community-based organizations, sports associations and the private sector to cooperate with and assist States in their efforts to promote and implement the Global Programme of Action;

5. Welcomes the efforts made by the Commission on Narcotic Drugs and the United Nations International Drug Control Programme to facilitate reporting by

Governments on the implementation of the Global Programme of Action, and encourages them to pursue those efforts so as to increase the number of Governments that respond;

6. Notes the efforts being made by the United Nations International Drug Control Programme and other United Nations bodies to obtain reliable data on drug abuse and illicit trafficking, including the development of the International Drug Abuse Assessment System, encourages the Programme, in cooperation with other United Nations bodies, to take further steps to facilitate the efficient collection of data so as to avoid duplication of effort, and encourages also the increased and timely provision of updated information by Member States;

7. Takes note of Economic and Social Council resolution 1996/20 of 23 July 1996 on strengthening of the role of the International Narcotics Control Board and development of a unified information system for the collection and analysis of data concerning the nature, patterns and trends of the global problem of drug abuse;

8. Invites the United Nations International Drug Control Programme to consider ways of providing assistance to Member States that request it in their efforts to establish appropriate mechanisms to collect and analyse data and to seek voluntary resources for this purpose;

9. Underlines the importance of precise and reliable information on the impact of the drug problem in the world economy;

10. Calls upon Member States to continue to make efforts to provide systematic, precise and updated information to the United Nations International Drug Control Programme on the various ways in which the drug problem affects their economies;

IV

SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO THE COMBAT AGAINST THE ILLICIT PRODUCTION, SALE, DEMAND, TRAFFIC AND DISTRIBUTION OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES AND RELATED ACTIVITIES

1. Welcomes Economic and Social Council resolution 1996/17 of 23 July 1996, and takes note with satisfaction of the support expressed at the High-level Segment of the Economic and Social Council of 1996, to the proposal to convene a special session of the General Assembly in 1998;

2. Decides to convene a special session in order to consider the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, and to propose new strategies, methods, practical activities and specific measures to strengthen international cooperation in addressing the problem of illicit drugs;

3. Stresses that the special session should, as noted in Economic and Social Council resolution 1996/17, be devoted to assessing the existing situation within the framework of a comprehensive and balanced approach that

includes all aspects of the problem with a view to strengthening international cooperation to address the problem of illicit drugs, and within the framework of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, and other relevant conventions and international instruments;

4. Reaffirms that, at its special session, it will address the issues on the basis of the principle of shared responsibility and with full respect for the principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States;

5. Decides that the special session be held for three days in June 1998, immediately after all the necessary preparatory work has been done to ensure its success, and 10 years after the adoption of the 1988 Convention;

6. Decides further that the Commission on Narcotic Drugs should act as the preparatory body for the special session of the General Assembly, open-ended in its deliberations, allowing for the full participation of all States members of the United Nations and of specialized agencies and observers, in accordance with the established practices;

7. Invites the Commission on Narcotics Drugs to take appropriate measures to prepare for the special session, as early as possible, including the possibility of establishing working groups;

8. Takes note with appreciation of initiatives by Member States aiming at providing inputs to the Commission on Narcotic Drugs in its capacity as a preparatory forum for the special session, including the convening of groups of high-level governmental experts;

9. Recognizes the important role played by non-governmental organizations in the implementation of the Global Programme of Action annexed to resolution S-17/2 of 23 February 1990, and recognizes the need for their active involvement in preparations for the special session in accordance with Economic and Social Council resolution 1996/31 of 25 July 1996, as well as the need to ensure appropriate arrangements for their contribution during the special session;

10. Also decides that the preparatory process for the special session of the General Assembly should be funded through the regular budget of the United Nations, bearing in mind the need to keep financial costs to a minimum, and that Governments should be invited to make extrabudgetary contributions to meet those costs;

11. Decides that, as recommended by the Economic and Social Council, the special session shall have the following objectives:

(a) To promote the adherence to, and full implementation by all States of the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs of 1988;

(b) To adopt measures to increase international cooperation to contribute to the application of the law;

(c) To adopt measures to avoid the diversion of chemicals used in illicit drug production and to strengthen control of the production of and traffic in stimulants and their precursors;

(d) To adopt and promote drug abuse control programmes and policies and other measures, including those at the international level, to reduce the illicit demand for drugs;

(e) To adopt measures to prevent and sanction money-laundering, in order to implement the 1988 Convention;

(f) To encourage international cooperation to develop programmes of eradication of illicit crops and to promote alternative development programmes;

(g) To adopt measures to strengthen coordination within the United Nations system in the fight against drug trafficking and related organized crime, against terrorist groups engaged in drug trafficking and against illicit arms trade;

12. Decides also, at its special session, to review resolution S-17/2, adopted at its seventeenth special session, on 23 February 1990, particularly the progress made in implementing the Global Programme of Action annexed thereto;

13. Takes note of the report of the Secretary General 1/ on the possible outcomes of, and organizational matters relating to the special session of the General Assembly and invites the Commission on Narcotic Drugs, while undertaking preparations for the special session, to bear in mind the recommendations contained in that report;

14. Invites the Commission on Narcotic Drugs to report to the General Assembly at its fifty-second session, through the Economic and Social Council, on the progress in the preparations for the special session;

15. Stresses the importance of taking into account a gender perspective in preparing the outcomes of the special session;

16. Encourages the participation of developing countries and assistance to the least developed countries, in order to work actively towards the attainment of the objectives and goals of the special session;

17. Invites organs, organizations and specialized agencies in the United Nations system, including multilateral development banks, to contribute fully to the preparations for the special session of the General Assembly, in particular by submitting to the Commission on Narcotic Drugs, as the preparatory body of the special session, through the Executive Director of the United Nations

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1/ A/51/469.

International Drug Control Programme, concrete recommendations on the issues to be addressed by the special session;

V

IMPLEMENTATION OF THE UNITED NATIONS SYSTEM-WIDE ACTION PLAN ON DRUG ABUSE CONTROL: ACTION BY ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

1. Supports the United Nations System-wide Action Plan on Drug Abuse Control as a vital tool for the coordination and enhancement of drug abuse control activities within the United Nations system, and requests that it be updated and reviewed on a biennial basis with a view to continuing efforts to improve its presentation and usefulness as a strategic tool of the United Nations for the drug problem;

2. Reaffirms the role of the Executive Director of the United Nations International Drug Control Programme in coordinating and providing effective leadership for all United Nations drug control activities so as to increase cost-effectiveness and ensure coherence of action within the Programme as well as coordination, complementarity and non-duplication of such activities throughout the United Nations system;

3. Urges the United Nations organizations associated with the United Nations System-wide Action Plan on Drug Abuse Control to further collaborate with the United Nations International Drug Control Programme to integrate the drug control dimension and assistance into their programming and planning processes to ensure that the drug problem is being addressed in all its aspects in relevant programmes;

4. Takes note of the recent action taken by the Administrative Committee on Coordination to ensure the increased commitment by specialized agencies, programmes and funds, as well as international financial institutions, to include the drug dimension in their programmes of work;

5. Invites Member States to engage United Nations agencies and multilateral development banks in addressing the drug problem in all aspects, and to promote due consideration by governing bodies of requests of assistance for drug control programmes at the national level;

VI

UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME

1. Welcomes the efforts of the United Nations International Drug Control Programme to implement its mandates within the framework of the international drug control treaties, the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the Global Programme of Action and relevant consensus documents;

2. Notes with concern the decline of available resources for the Fund of the United Nations International Drug Control Programme;

3. Endorses Commission on Narcotic Drugs resolution 10 (XXXIX) regarding new financing activities for the United Nations International Drug Control Programme and urges all Governments to provide the fullest possible financial and political support to the organization, by widening the donor base of the Programme, increasing voluntary contributions in particular general-purpose contributions, to enable it to continue, expand and strengthen its operational and technical cooperation activities;

4. Invites Governments and the United Nations International Drug Control Programme to consider ways and means of improving the coordination of United Nations drug control-related activities;

5. Notes with appreciation the efforts made by the Executive Director of the United Nations International Drug Control Programme to comply with the approved format and methodology of the programme budget of the Fund, in accordance with relevant resolutions of the Commission on Narcotic Drugs and the General Assembly and the recommendations of the Advisory Committee on Administrative and Budgetary Questions, and encourages the Executive Director to continue his efforts to improve the presentation and transparency of the budget;

6. Stresses the importance of the meetings of heads of national law enforcement agencies, and encourages them to consider ways to improve their functioning and to strengthen their impact so as to enhance cooperation in the fight against drugs at the regional level;

VII

1. Takes note of the reports of the Secretary-General submitted under the item entitled "International drug control";

2. Requests the Secretary-General, taking into account the promotion of integrated reporting:

(a) To submit comments to the General Assembly at its fifty-second session, if necessary, on the report of the Commission on Narcotic Drugs regarding the preparations for the 1998 special session of the General Assembly;

(b) To include, in his annual report on the implementation of the Global Programme of Action, recommendations on ways and means to improve implementation and provision of information by Member States;

(c) To submit to the General Assembly at its fifty-third session, an updated report on the status of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

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Agenda item 158

QUESTION OF THE ELABORATION OF AN INTERNATIONAL CONVENTION AGAINST ORGANIZED TRANSNATIONAL CRIME

Argentina, Cambodia, Italy, Morocco, Philippines, Poland, Romania, Slovenia, Sweden, Turkey and Ukraine: draft resolution

Question of the elaboration of an international convention against organized transnational crime

The General Assembly,

Recalling its resolution 49/159 of 23 December 1994, in which it approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, and bearing in mind the report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995, 1/

Taking into account Economic and Social Council resolution 1996/27 of 24 July 1996, entitled "Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime", in which the Council decided, inter alia, that the Commission on Crime Prevention and Criminal Justice should establish an in-sessional open-ended working group at its sixth session, in particular for the purpose of considering the possibility of elaborating a convention or conventions against organized transnational crime and identifying elements that could be included therein,

Recalling also the Buenos Aires Declaration on Prevention and Control of Organized Transnational Crime, 2/ adopted by the Regional Ministerial Workshop

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1/ A/CONF.169/16.

2/ E/CN.15/1996/2/Add.1, annex.

on Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, held at Buenos Aires from 27 to 30 November 1995,

Deeply disturbed by the increasingly alarming threat posed by organized transnational crime to the rule of law, stability and security of States, which calls for an urgent and appropriate response,

Concerned over the growing number and variety of crimes which are being committed by organized criminal groups,

Convinced of the need for closer coordination and cooperation among States in combating organized transnational crime, and bearing in mind the role that could be played by the United Nations and regional and subregional organizations in this respect,

Considering that there is a need to examine the question of the elaboration of an international convention against organized transnational crime,

Taking note of the proposed draft United Nations framework convention against organized crime introduced by Poland, 3/

Bearing in mind the discussion on the question of the elaboration of an international convention against organized transnational crime which took place in the Third Committee during the fifty-first session of the General Assembly,

1. Requests the Secretary-General to invite Member States to submit their views on the question of the elaboration of an international convention against organized transnational crime, including, inter alia, their comments on the proposed draft United Nations framework convention, not later than two months before the commencement of the sixth session of the Commission on Crime Prevention and Criminal Justice;

2. Requests the Commission on Crime Prevention and Criminal Justice to consider, as a matter of priority, the question of the elaboration of an international convention against organized transnational crime, taking into account views of Member States on this matter, with a view to finalizing its work on this question as soon as possible;

3. Further requests the Commission on Crime Prevention and Criminal Justice to report through the Economic and Social Council to the General Assembly at its fifty-second session on the results of its work on this question;

4. Decides to continue its consideration of this question at its fifty-second session under the appropriate agenda item.

3/ A/C.3/51/7, annex.

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Agenda item 101

CRIME PREVENTION AND CRIMINAL JUSTICE

Draft resolution submitted by the Chairperson on the basis of informal consultations held on the draft resolution contained in document A/C.3/51/L.3

United Nations Declaration on Crime and Public Security

The General Assembly,

Convinced that the adoption of a declaration on crime and public security will contribute to the enhancement of the struggle against serious transnational crime,

1. Approves the United Nations Declaration on Crime and Public Security, the text of which is annexed to the present resolution;

2. Urges Member States, in accordance with the provisions of the Declaration, to take all appropriate measures at the national and international levels to combat serious transnational crime;

3. Invites the Secretary-General to inform all States and the relevant specialized agencies and organizations of the adoption of the Declaration;

4. Urges Member States to make every effort in order that the Declaration becomes generally known and is observed and implemented in full in accordance with their respective national legislation;

5. Invites Member States to promote public campaigns, including the use of mass media, that stimulate public awareness of and participation in the process of crime prevention and promotion of public security.

Annex

UNITED NATIONS DECLARATION ON CRIME AND PUBLIC SECURITY

The General Assembly,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, 1/ the Declaration on Measures to Eliminate International Terrorism 2/ and the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, 3/

Solemnly proclaims the following United Nations Declaration on Crime and Public Security:

Article 1

Member States shall seek to protect the security and well-being of their citizens and all persons within their jurisdictions by taking effective national measures to combat serious transnational crime, including organized crime, illicit drug and arms trafficking, smuggling of other illicit articles, organized trafficking in persons, terrorist crimes and the laundering of proceeds from serious crimes, and shall pledge their mutual cooperation in those efforts.

Article 2

Member States shall promote bilateral, regional multilateral and global law enforcement cooperation and assistance, including, as appropriate, mutual legal assistance arrangements to facilitate the detection, apprehension and prosecution of those who commit or are otherwise responsible for serious transnational crimes and to ensure that law enforcement and other competent authorities can cooperate effectively on an international basis.

Article 3

Member States shall take measures to prevent support for and operations of criminal organizations in their national territories. Member States shall, to the fullest possible extent, provide for effective extradition or prosecution of those who engage in serious transnational crimes in order that they find no safe haven.

1/ Resolution 50/6.

2/ Resolution 49/60.

3/ A/50/433.

Article 4

Mutual cooperation and assistance in matters concerning serious transnational crime shall also include, as appropriate, the strengthening of systems for the sharing of information among Member States and the provision of bilateral and multilateral technical assistance to Member States by utilizing training, exchange programmes and law enforcement training academies and criminal justice institutes at the international level.

Article 5

Member States that have not yet done so are urged to become parties as soon as possible to the principal existing international treaties relating to various aspects of the problem of international terrorism. States parties shall effectively implement their provisions in order to fight against terrorist crimes. Member States shall also take measures to implement General Assembly resolution 49/60 of 9 December 1994 on measures to eliminate international terrorism and its annex containing the Declaration on Measures to Eliminate International Terrorism.

Article 6

Member States that have not yet done so are urged to become parties to the international drug control conventions as soon as possible. States parties shall effectively implement the provisions of the Single Convention on Narcotic Drugs of 1961, 4/ that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961, 5/ the Convention on Psychotropic Substances of 1971, 6/ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. 7/ Member States specifically reaffirm that, on the basis of shared responsibility, they shall take all necessary preventive and enforcement measures to eliminate the illicit production of, trafficking in, and distribution and consumption of narcotic drugs and psychotropic substances, including measures to facilitate the fight against those criminals involved in this type of transnational organized crime.

4/ United Nations, Treaty Series, vol. 520, No. 7515.

5/ Ibid., vol. 976, No. 14152.

6/ Ibid., vol. 1019, No. 14956.

7/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).

Article 7

Member States shall take measures within their national jurisdictions to improve their ability to detect and interdict the movement across borders of those who engage in serious transnational crime, as well as the instrumentalities of such crime, and shall take effective specific measures to protect their territorial boundaries, such as:

(a) Adopting effective controls on explosives and against illicit trafficking by criminals in certain materials and their components that are specifically designed for use in manufacturing nuclear, biological or chemical weapons and, in order to lessen risks arising from such trafficking, by becoming party to and fully implementing all relevant international treaties relating to weapons of mass destruction;

(b) Strengthening supervision of passport issuance and enhancement of protection against tampering and counterfeiting;

(c) Strengthening enforcement of regulations on illicit transnational trafficking in firearms, with a view to both suppressing the use of firearms in criminal activities and reducing the likelihood of fuelling deadly conflict;

(d) Coordinating measures and exchanging information to combat the organized criminal smuggling of persons across national borders.

Article 8

To combat further the transnational flow of the proceeds of crime, Member States agree to adopt measures, as appropriate, to combat the concealment or disguise of the true origin of proceeds of serious transnational crime and the intentional conversion or transfer of such proceeds for that purpose. Member States agree to require adequate record-keeping by financial and related institutions and, as appropriate, the reporting of suspicious transactions, and to ensure effective laws and procedures to permit the seizure and forfeiture of the proceeds of serious transnational crime. Member States recognize the need to limit the application of bank secrecy laws, if any, with respect to criminal operations, and to obtain the cooperation of the financial institutions in detecting these and any other operations which may be used for the purpose of money-laundering.

Article 9

Member States agree to take steps to strengthen the overall professionalism of their criminal justice, law enforcement and victim assistance systems, and relevant regulatory authorities, through measures such as training, resource allocation and arrangements for technical assistance with other States, and to promote the involvement of all elements of their societies in combating and preventing serious transnational crime.

Article 10

Member States agree to combat and prohibit corruption and bribery, which undermine the legal foundations of civil society, by enforcing applicable domestic laws against such activity. For this purpose Member States also agree to consider developing concerted measures for international cooperation to curb corrupt practices, as well as developing technical expertise to prevent and control corruption.

Article 11

Actions taken in furtherance of this Declaration shall fully respect the national sovereignty and territorial jurisdiction of Member States as well as the rights and obligations of Member States under existing treaties and international law, and shall be consistent with human rights and fundamental freedoms as recognized by the United Nations.

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THIRD COMMITTEE
Agenda item 105

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Armenia, Belarus, Georgia, Kyrgyzstan, Russian Federation, Tajikistan and Ukraine: draft resolution

Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994 and, in particular, 50/151 of 21 December 1995, in which it requested the United Nations High Commissioner for Refugees, in close consultation with concerned States and in coordination with relevant intergovernmental, regional and non-governmental organizations, to convene in 1996 a regional conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States,

Taking note with satisfaction of the successful conclusion of the Conference held at Geneva on 30 and 31 May 1996,

Being aware that involuntary, mass displacement, in addition to the human suffering involved, imposes significant economic and social burdens and may affect security and stability at the regional level,

Reaffirming the view of the Conference that, while the primary responsibility for tackling population displacement problem lies with the

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affected countries themselves, the serious challenges cannot be met by the limited resources and experience of the countries of the Commonwealth of Independent States individually,

Mindful that effective implementation of the recommendations contained in the Programme of Action adopted by the Conference 1/ can be ensured only through coordinated activities undertaken in this respect by all participating States, intergovernmental and non-governmental organizations and other actors,

Welcoming the spirit of international solidarity and cooperation that made the preparatory process of the Conference and the Conference itself a success,

Noting the 1951 Convention 2/ and the 1967 Protocol 3/ relating to the Status of Refugees,

1. Takes note of the report of the Secretary-General; 4/

2. Expresses its gratitude to the Government of Switzerland and other host States that made it possible to convene the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States and a series of preparatory meetings, as well as those States that made voluntary contributions for this purpose;

3. Endorses the Declaration and Programme of Action adopted by the Conference on 31 May 1996; 1/

4. Welcomes the innovative approach and close cooperation of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in initiating and supporting a multilateral constructive dialogue among a wide range of countries concerned that has brought agreement on guidelines for practical action, taking into account internationally recognized norms and standards;

5. Expresses its satisfaction with the work of the Conference, which laid down a solid foundation for further action by the countries concerned and intergovernmental and non-governmental organizations;

6. Confirms the views of the Conference on the urgency of addressing the problems of those displaced, of implementing measures to prevent situations leading to further involuntary population displacement and of effectively managing other types of migratory flows in the region;

1/ A/51/341, annex.

2/ United Nations, Treaty Series, vol. 189, No. 2545.

3/ Ibid., vol. 606, No. 8791.

4/ A/51/341.

7. Urges all States and intergovernmental and non-governmental organizations concerned to take further action with a view to the full implementation of the recommendations of the Conference;

8. Calls upon the Governments of the countries concerned to continue to strengthen their commitment to the principles underpinning the Programme of Action and to ensuring progress in its implementation;

9. Recognizes that implementation of the Programme of Action requires additional financial resources, and calls for effective international cooperation in order to assist the countries of the Commonwealth of Independent States in the field of migration and related matters;

10. Welcomes the readiness of States and interested international organizations to provide appropriate forms and levels of support for the practical implementation of the Programme of Action in the spirit of solidarity and burden-sharing;

11. Invites international financial and other institutions to contribute to financing projects and programmes within the framework of the implementation of the Programme of Action;

12. Requests the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe to steer, in close coordination, the ongoing and future activities required to ensure progress in the implementation of the Programme of Action;

13. Calls upon all relevant United Nations organs, bodies and agencies to promote, within their respective mandates, the implementation of the Programme of Action;

14. Recognizes the role to be played by non-governmental organizations in the implementation of the Programme of Action and encourages the Governments of the countries of the Commonwealth of Independent States and international organizations to strengthen their cooperation with non-governmental organizations and to involve them actively in the Conference follow-up;

15. Reaffirms the necessity to put in place an effective follow-up mechanism of the Conference;

16. Greatly appreciates the initial steps undertaken by the High Commissioner in cooperation with the International Organization for Migration to promote the implementation of the Programme of Action;

17. Welcomes the Joint Operational Strategy of the High Commissioner and the International Organization for Migration in the countries of the Commonwealth of Independent States for 1996-2000, which outlines the practical dimensions of implementing the results of the Conference;

18. Emphasizes the necessity to fulfil the recommendations of the Programme of Action relating to ensuring respect for human rights as an

important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

19. Urges the United Nations High Commissioner for Human Rights, in coordination with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to include key elements of the Programme of Action in current and future projects of the Centre for Human Rights of the Secretariat in the countries of the Commonwealth of Independent States;

20. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the measures taken and proposed and of progress achieved in the implementation of the present resolution;

21. Decides to include in the provisional agenda of its fifty-second session an item entitled "Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States".

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Cameroon*: draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 50/149 of 21 December 1995,

Having considered the report of the Secretary-General 1/ and the report of the United Nations High Commissioner for Refugees, 2/

Convinced of the necessity of strengthening the capacity within the United Nations system for the implementation of relief programmes for refugees, returnees and displaced persons,

Welcoming the ongoing process of voluntary repatriation of refugees in some parts of Africa,

Taking note of resolution CM/Res.1653 (LXIV) on refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the

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* On behalf of the States Members of the United Nations that are members of the Group of African States.

1/ A/51/367.

2/ Official Records of the General Assembly, Fifty-first Session, Supplement No. 12 (A/51/12).

Organization of African Unity at its sixty-fourth ordinary session, held at Yaoundé from 1 to 5 July 1996,

Recognizing the need for States to create conditions conducive both to the prevention of flows of refugees and displaced persons and to solutions, especially voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with great concern that despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes region and in the Horn of Africa, remains precarious,

1. Takes note of the report of the Secretary-General 1/ and the report of the United Nations High Commissioner for Refugees; 2/

2. Notes with concern that the effects of political instability, internal strife, human rights violations, poverty and natural disasters, such as drought, have led to increased numbers of refugees and displaced persons in some countries of Africa;

3. Expresses deep concern at the serious and far-reaching consequences of large numbers of refugees and displaced persons in the receiving countries and the implications for their security, their long-term socio-economic development and the environment;

4. Expresses its appreciation and strong support for those African Governments and local populations which, in spite of the general deterioration of socio-economic and environmental conditions, as well as over-stretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons;

5. Expresses its concern at instances where the fundamental principle of asylum is jeopardized by the unlawful expulsion, refoulement, or threat to life, physical security, dignity and well-being of refugees;

6. Commends the Governments concerned for their sacrifices in providing assistance and protection to refugees, returnees and internally displaced persons and for their efforts to promote voluntary repatriation;

7. Expresses its gratitude to the international community, and the Office of the United Nations High Commissioner for Refugees in particular, for the humanitarian assistance it has continued to render to refugees and displaced persons as well as to the countries of asylum;

8. Welcomes the strengthening of cooperation between the Office of the United Nations High Commissioner for Refugees and the Organization of African Unity at all levels, and urges the two organizations, in conjunction with United Nations agencies and non-governmental organizations, the international community and the Governments concerned, to increase their efforts aimed at facilitating

voluntary repatriation in a dignified and orderly manner, as well as addressing the root causes of the refugee problem and working out modalities for a lasting solution;

9. Reiterates that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

10. Calls upon the Office of the United Nations High Commissioner for Refugees and other concerned entities to intensify their protection activities by, inter alia, supporting the efforts of African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

11. Appeals to Governments, United Nations and non-governmental organizations and the international community to create conditions that can facilitate the voluntary return and the early rehabilitation and reintegration of refugees;

12. Appeals to the international community to respond positively to the third country resettlement requests of African refugees in the spirit of burden sharing;

13. Commends the Governments of the Great Lakes and West African regions and the Office of the United Nations High Commissioner for Refugees for their initiatives to promote repatriation within the framework of tripartite agreements on voluntary repatriation of refugees in the region;

14. Encourages the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the office of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

15. Welcomes the ongoing efforts undertaken by the Office of the United Nations High Commissioner for Refugees, with host Governments, United Nations and non-governmental organizations and the international community in addressing the negative impacts of large-scale refugee influxes and concentrations on the environment and ecosystems of the asylum countries;

16. Notes with satisfaction the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the United Nations High Commissioner for Refugees, with the cooperation and collaboration of many countries hosting refugees, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

17. Expresses its concern about the long stay of refugees in certain African countries, and calls upon the Office of the United Nations High

Commissioner for Refugees to keep her programmes under review in those countries, taking into account the increasing requirements there;

18. Urges the international community to honour existing commitments and to continue to make efforts to increase financial and other contributions for general refugee programmes to keep pace with refugee needs;

19. Calls upon Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system on the basis of the experience of the emergency in the Great Lakes region, and to continue to provide needed resources and operational support to refugees and asylum countries until a permanent solution can be found;

20. Calls upon the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

21. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

22. Calls upon the Secretary-General, the Office of the United Nations High Commissioner for Refugees and intergovernmental, regional and non-governmental organizations to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in general with States and others concerned in respect of asylum, relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

23. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-second session, under the item entitled "Report of the Office of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and an oral report to the Economic and Social Council at its substantive session of 1997.

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Poland and South Africa: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 1996/221 of 2 May 1996 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the note verbale dated 11 April 1996 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General 1/ and the note verbale dated 12 April 1996 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General, 2/

1. Decides to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-one to fifty-three States;

2. Requests the Economic and Social Council to elect the additional members at its organizational session of 1997.

1/ E/1996/20.

2/ E/1996/21.

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